

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DONOVAN A. REMEKIE, :
: Petitioner, : CIVIL ACTION NO. 22-79
: :
v. :
: :
MR. JAIME SORBER, THE DISTRICT :
ATTORNEY OF THE COUNTY OF :
PHILADELPHIA, and THE ATTORNEY :
GENERAL OF THE STATE OF :
PENNSYLVANIA, :
: Respondents. :
:

ORDER

AND NOW, this 28th day of January, 2022, after considering the petition for a writ of habeas corpus under 28 U.S.C. § 2254 (Doc. No. 1) and motion to stay (Doc. No. 3) filed by the *pro se* petitioner, Donovan A. Remekie; and for the reasons set forth in the separately filed memorandum opinion, it is hereby **ORDERED** as follows:

1. The petitioner shall have until **February 28, 2022**, to **SHOW CAUSE** why this court should stay and abey this matter instead of dismissing it without prejudice to him to refile it once he fully exhausts his state court remedies. The petitioner shall file a written document with the court which specifically addresses the three requirements for this court to consider whether to stay and abey this matter, namely: (1) good cause for the failure to exhaust; (2) the unexhausted claims are potentially meritorious; and (3) the petitioner must not have engaged in intentionally dilatory litigation tactics;

2. If the court does not receive a written response from the petitioner by **February 28, 2022**, the court will deem him to be unopposed to the court dismissing his habeas petition without prejudice to him refiling it once he fully exhausts his state court remedies; and

3. The clerk of court shall **ENSURE** that a copy of the court's separately filed memorandum opinion and this order are **PROMPTLY** sent to the petitioner.

BY THE COURT:

/s/ *Edward G. Smith*
EDWARD G. SMITH, J.